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September 11, 2015

Hon. Jose L. Linares, USDJ  
US District Court  
Martin Luther King Jr. Fed. Bldg. & Courthouse  
50 Walnut Street  
Newark, NJ 07101-0999

Re: Demmick v Cellco Partnership, NO. 06-CV-2163

Dear Judge Linares:

On behalf of Appellant Nancy Corser, I write in response to the letter from Class Counsel dated September 10, 2015.

If the Court is inclined to set a deadline for posting the bond, Appellant Corser requests that the bond deadline be set on the date Appellants' opening briefs are due. The Court imposed a bond to secure solely Plaintiffs' costs of briefing the appeals, which costs will not be incurred by Plaintiffs until and unless they are required to file response briefs. As of today, the Third Circuit has not issued a briefing schedule, and appellate mediation is scheduled for October 2, 2015.

In addition, the joint and several bond issued against seven appellants will require coordination among a large number of appellants in order to collect the funds and, hopefully, deliver one check for the entire bond amount to the clerk. Therefore, a time period greater than fourteen days is required to adequately determine which appellants intend to continue to pursue their appeals, and to collect the bond funds from the remaining appellants. Some appellants may abandon their appeals after the scheduled mediation.

Because the only purpose to be served by the appeal bond is to secure the Plaintiffs for their briefing costs, there is no reason to establish a deadline for posting the bond prior to the date that Appellants' briefs are due. Appellant Corser requests that the Court set the bond posting deadline on the same date that the Third Circuit sets for the filing of Appellants' opening briefs.

Sincerely,

/s/ John J. Pentz